

March 19, 2001

MEMORANDUM TO: Bruce A. Boger, Director
Division of Inspection Program Management
Office of Nuclear Reactor Regulation

FROM: Glenn M. Tracy, Chief */RA/*
Operator Licensing, Human Performance,
and Plant Support Branch
Division of Inspection Program Management, NRR

SUBJECT: SUPPLEMENT 1 TO REVISION 8 OF NUREG-1021,
"OPERATOR LICENSING EXAMINATION STANDARDS
FOR POWER REACTORS"

The purpose of this memorandum is to forward Supplement 1 to Revision 8 of NUREG-1021 for your review and approval. Supplement 1 includes a number of enhancements and clarifications that have been identified since April 1999 when Revision 8 was published in conjunction with the rule change that allows facility licensees to prepare the initial operator licensing examinations.

The supplement was developed based on staff and industry feedback collected during a series of regional operator licensing workshops and public meetings with the Nuclear Energy Institute's (NEI's) operator licensing focus group. A preliminary draft of the supplement was provided to the NRC regional offices for comment in November 1999, and the draft supplement was issued for public comment and voluntary trial use with a notice of availability published in the *Federal Register* (65 FR 15020) on March 20, 2000. The most significant changes included: (1) clarification of the guidance regarding the random and systematic selection of topics for the written examination, which would reduce the need for facility licensees to track the number of questions repeated from recent examinations and quizzes; and (2) clarification of the guidance regarding the discussion of draft examination quality in the final examination report, which would place into perspective NRC constructive comments in the exam report given that the overall quality of the examination was within the range of acceptability expected by the NRC.

On July 17, 2000, the staff published a second *Federal Register* notice (65 FR 44080) that extended the comment and trial use period until the end of October 2000 because the original 90-day period provided insufficient time to exercise and evaluate the revised guidance. The extension also gave the staff the opportunity to issue an addendum to the original supplement that would bring NUREG-1021 into conformance with Revision 3 of Regulatory Guide 1.8 "Qualification and Training of Personnel for Nuclear Power Plants," which had been issued in May 2000, and to address issues raised by the Office of the Inspector General in its audit of the operator licensing program.

Since the comment period closed, the staff has reviewed the feedback from the NRC regional offices regarding the examinations conducted using the draft supplementary guidance and concluded that the proposed clarifications and enhancements are appropriate and effective. The fact that facility licensees are now using a systematic and random process to select topics for the written examination has improved the selection rate for topics that were previously under-sampled and resulted in the development of many new questions that are being used to populate the individual facility-licensee and national examination question banks. Based on these factors, the staff has concluded that the upper limit on the number of questions on an examination that may be taken directly from a bank can be safely increased from 50 to 75 percent without sacrificing examination validity or integrity. In the near term, the staff expects that the number of bank questions on any examination will generally be limited by the availability of questions matching the randomly selected test topics and that most of the examinations will actually contain fewer bank questions than are currently allowed under Revision 8 of NUREG-1021.

Both the staff and the industry acknowledge that the random sampling process has temporarily increased the average amount of effort required to develop the written examinations, but the additional cost is largely offset by no longer having to track prior question usage. Moreover, the staff's decision to increase the number of questions that can be taken directly from an examination bank will, in the long term, provide substantial savings as the national and local examination banks accrue questions covering all the possible examination topics.

The specific comments and recommendations submitted by the regions, individual NRC examiners, NEI, facility licensees, and the public during the comment period are summarized in the first attachment. The comments are categorized according to the applicable sections in NUREG-1021, and every comment includes a brief resolution. The other attachments include total replacements for those sections of the NUREG having extensive changes and a number of individual replacement pages affecting the remainder of the NUREG. Instructions for inserting the supplement are provided, and all of the changes are identified with vertical bars in the margins. A draft of the final supplement was provided to the regional offices for comment in January 2001, and any remaining issues were discussed with the regional operator licensing branch chiefs during a recent counterparts meeting. Those issues directly affecting the applicants or facility licensees were also reviewed with the NEI operator licensing focus group during a public meeting held on February 9, 2001.

I have reviewed the attached Supplement 1 changes to Revision 8 of NUREG-1021 and recommend that you approve them for immediate publication. With regard to the backfit question, note that the Committee to Review Generic Requirements (CRGR) declined the opportunity to review final Revision 8 of NUREG-1021 after taking the position that facility participation in the examination development process should remain voluntary. The fact that facility licensees have a choice whether or not to develop their own examinations should eliminate any concern regarding a possible backfit even though there may be a temporary increase in burden for those licensees that do elect to participate in the program. I have concluded, therefore, that the changes do not involve a generic backfit that would require review by the CRGR. If you concur with this conclusion and the proposed changes, please sign the attached NRC Form 426, "Authorization to Publish a NUREG-Series Document Prepared by the NRC Staff," and return it to me. The staff will then implement the changes in accordance

with the attached plan. If you determine that any portion of the NUREG requires further review or if you have any questions concerning the enclosed materials, please contact me on 415-1031.

Attachments: As stated

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Implementation Plan for
Supplement 1 to Revision 8 of NUREG-1021

1. Upon approval by the Director, Division of Inspection Program Management, the staff will forward NRC Form 426, "Authorization to Publish a NUREG-Series Document Prepared by the NRC Staff," and the attached NUREG changes to the Publishing Services Branch for printing and posting on the NRC's web site. Hard copies of the supplement will be mailed directly to each power reactor plant manager, the appropriate technical information libraries and distribution centers, and the appropriate NRC staff.
2. The staff will place a copy of this memorandum and its attachments in the NRC's Public Electronic Reading Room as a record of the staff's response to the comments submitted with regard to the draft supplement and the addendum thereto. The staff will forward the Accession Numbers for these documents to the Nuclear Energy Institute's Operator Licensing Focus Group members via email.
3. The staff will forward a notice announcing the availability and effective date of the supplement to the Chief of the Rules and Directives Branch for publication in the *Federal Register*.
4. The operator licensing web site will be updated to announce the availability of the revised document, explain the implementation schedule, and establish a link to the revised NUREG.
5. The staff will draft a memorandum from the Executive Director of Operations to the Assistant Inspector General for Audits to close out the staff's action in response to OIG Report 99-A-15, "Review of the Operator Licensing Program."
6. As stated in the Abstract for Supplement 1, the changes will become effective for corporate notification letters issued 60 days after the notice of availability is published in the *Federal Register*. This will provide facility licensees with at least 180 days notice that the examinations will be administered in accordance with the revised procedures. Facility licensees may make arrangements for earlier implementation by contacting their NRC Regional Office.
7. The staff will review the Supplement 1 changes with the regional operator licensing staffs during the next examiners' training conference. The staff will also encourage the regional operator licensing branch chiefs to review the changes with their facility licensees during their next regularly scheduled meeting or workshop.